

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:

The Muffin Mam, Inc.,

DEBTOR(S)

CASE NO: 21-02909-hb

CHAPTER: 7

CERTIFICATION OF FACTS

In the above-entitled proceeding, in which relief is sought by Creative Bakery Solutions, LLC from the automatic stay provided by 11 U.S.C. § 362, I do hereby certify to the best of my knowledge the following:

(1) Nature of Movant's Interest. Creative Bakery Solutions, LLC ("CBS") is a supplier of cake mix. In the ordinary course of business, CBS sold \$506,281.50 of cake mixes to the debtor and the debtor received the cake mix within 45 days of the filing of the Bankruptcy. Upon learning of the bankruptcy and within 1 day of the filing of the bankruptcy, CBS demanded its reclamation rights to retrieve the cake mix delivered to and still in possession of the debtor. On December 3, 2021, CBS filed its notice and demand for reclamation pursuant to Section 546 of the Bankruptcy Code (docket #39) (the "Notice of Reclamation"). Included with the Notice are the invoices identifying the cake mix by product number (docket #39-2).

(2) Brief Description of Security Agreement, copy attached (if applicable). Copy of reclamation demand is attached is included in the Notice of Reclamation (docket #39-1)

(3) Description of Property Encumbered by Stay (include serial number, lot and block number, etc.). Cake Mix sold by Creative Bakery Solutions, LLC and identified by product number included in the Notice of Reclamation (Docket #39-2)

(4) Basis for Relief (for cause, property not necessary for reorganization, debtor has no equity, property not property of estate, etc.) include applicable subsection of 11 U.S.C. § 362). Cause. The cake mixes are perishable, even though they have a shelf live of approximately one year if properly care for. CBS needs to recover the cake mix so that it can resell the product to cover its loss pursuant to the Uniform Commercial Code.

(5) Prior Adjudication by Other Courts, copy attached (Decree of Foreclosure, Order for Possession, Levy of Execution, etc., if applicable). None.

(6) Valuation of Property, copy of Valuation attached (Appraisal, Blue Book, etc.): Cost basis – invoices.

Fair Market Value: The value is the approximate price that the cake mix was sold to the Debtor - \$506,281.50 total product and \$232,785.25 of product that Creative Bakery believes are still on site.

Senior Liens: None.

Movant's Lien: Does Not Apply

Other Liens: None.
(Listed in order of priority)

Net Equity: 0.00

Source/Basis of Value: The cake mixes were sold to the debtor.

(7) Amount of Debtor's Estimated Equity (using figures from paragraph 6, supra). None.

(8) Month and Year in Which First Direct Post-petition Payment Came Due to Movant (if applicable). None.

(9)(a) For Movant/Lienholder (if applicable): List or attach a list of all post-petition payments received directly from debtor(s), clearly showing date received, amount, and month and year for which each such payment was applied.¹ Does not apply.

(b) For Objecting Party (if applicable): List or attach a list of all post-petition payments included in the Movant's list from (a) above which objecting party disputes as having been made. Attach written proof of such payment(s) or a statement as to why such proof is not available at the time of filing this objection.

(10) Month and Year for Which Post-petition Account of Debtor(s) is Due as of the Date of this Motion:

Does not apply.

Date: December 6, 2021

\s Richard R. Gleissner
Signature of Attorney
Richard R. Gleissner
Typed Printed Name
1237 Gadsden Street, Suite 200A
Columbia, South Carolina 29201
(803) 787-0505 Phone
(803) 712-4283 Facsimile
Rick@GleissnerLaw.com_
Address/Telephone/Facsimile/E-mail

District Court I.D. Number: 5389

¹ This requirement may not be met by the attachment of a payment history generated by the movant. Such attachment may be utilized as a supplement to a complete and detailed response to (9)(a) above, which should be shown on this certification.